

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DINO CONSTANCE,

No. 3:15-cv-05426-RAJ

Petitioner,

v.

ORDER

DONALD HOLBROOK,

Defendant.

I. INTRODUCTION

This matter comes before the Court on Petitioner Dino Constance's ("Petitioner") second motion for an extension of time to file a motion for reconsideration on the Court's Order Denying Petitioner's Motion to Appoint Counsel. Dkt. # 100. On February 26, 2021, Petitioner, proceeding *pro se* while incarcerated, moved the Court for a 21-day extension to file a motion for reconsideration on the Court's order, which was due on March 2, 2021, citing limited access to the law library due to COVID restrictions. Dkt. # 98. The Court granted the request and extended the deadline to March 25, 2021. Dkt. # 99. On March 22, 2021, Petitioner filed a motion seeking an additional 21-day extension based on his broken typewriter, upon which he depends for drafting his motion

1 due to his injured right hand that precludes him from writing. Dkt. 100 at 1.

2 A court may, for good cause, extend the time by which an act must be done if a
3 request is made before the original time expires. Fed. R. Civ. P. 6(b). According to
4 Local Rule 7(j), “[a] motion for relief from a deadline should, whenever possible, be filed
5 sufficiently in advance of the deadline to allow the court to rule on the motion prior to the
6 deadline,” unless the motion is based on a “true, unforeseen emergency.” Local Rules
7 W.D. Wash. LCR 7(j). Here, Petitioner alleges that his right hand is injured, and he is
8 therefore unable to write a lengthy motion by hand. Dkt. # 100 at 1. He states that he has
9 a typewriter but that it has broken multiple times and is now being repaired. *Id.*
10 Petitioner provides confirmation of the breakdown and time required to repair it from the
11 typewriter repair facility that is currently repairing it. *Id.* at 2. The Court finds that
12 Plaintiff provides good cause for an extension of time based on his inability to draft his
13 motion by hand and the confirmed breakdown of his typewriter. *See* Dkt. 100 at 2.
14 Petitioner also moved for an extension in advance of the deadline. The Court therefore
15 **GRANTS** Petitioner’s motion for an extension of time to 21 days from the date of this
16 Order.

17 DATED this 29th day of March, 2021.

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20 The Honorable Richard A. Jones
21 United States District Judge
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